

## **REMARKS**

Applicant is in receipt of the Office Action mailed October 19, 2007. Claims 1-30 are rejected. Claims 1-30 remain pending in the application.

### **Double Patenting Rejections**

Claims 1, 2, 11, 12, 21, and 22 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 12, and 23 of copending application no. 10/662,889. In view of the enclosed terminal disclaimer, Applicant respectfully requests removal of the obviousness-type double patenting rejection.

### **Rejections Under 35 U.S.C. § 101**

Claims 11-20 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 11-20 recite, in pertinent part, a “computer-readable storage medium.” The Examiner argues that Applicant’s specification defines a computer-readable storage medium to encompass an electronic transmission signal. At page 63, lines 1-6, Applicant’s original specification states:

Various embodiments may further include receiving or storing instructions and/or information implemented in accordance with the foregoing description upon a carrier medium. Suitable carrier media may include storage media or memory media such as magnetic or optical media, e.g., disk or CD-ROM, as well as transmission media or signals such as electrical, electromagnetic, or digital signals, conveyed via a communication medium such as a network and/or a wireless link.

Applicant’s specification discloses that suitable carrier media may include storage media or memory media and that suitable carrier media may include transmission media

or signals, not that storage media or memory media include transmission media or signals. Claims 11-20 are thus limited to patentable subject matter.

Applicant respectfully traverses the rejection for at least the reasons discussed above. However, to expedite prosecution, Applicant has amended the cited paragraph in the specification for clarification. No new matter is believed to have been added. Accordingly, withdrawal of the rejection of claims 11-20 under § 101 is respectfully requested.

#### **Rejections Under 35 U.S.C. § 102(e)**

Claims 1-5, 8-15, 18-25, and 28-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kenton, et al. (U.S. Patent No. 6,845,507, hereinafter “Kenton”). Applicant respectfully traverses the rejection in light of the following remarks.

Anticipation under § 102(e) requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed below, Kenton fails to disclose each and every element of the claimed invention.

In particular, Applicant respectfully submits that Kenton does not teach or suggest a method comprising “generating a message in response to the user input [to request performance of a task], wherein the message comprises one or more instructions which are computer-executable to perform the task” and “executing the one or more instructions to perform the task again on one or more additional computer systems” in combination with the remaining features of claim 1.

Kenton discloses a system for workflow automation in which workflow instructions are accessed from messages passed from one application to another (see, e.g.,

col. 3, line 47 to col. 4, line 2). Figs. 2 and 3 illustrate examples of workflows including various workflow tasks. Kenton also discloses that different tasks in a workflow may be performed respectively on different computer systems (see, e.g., Fig. 2). However, as shown below, Kenton does not teach or suggest that the same task is performed on both a first computer system and on one or more additional computer systems (i.e., on at least two different computer systems).

In arguing that Kenton discloses “entering user input to a source application on a first computer system to request performance of a task,” the Examiner cites Kenton at col. 4, lines 38-41, where Kenton states that a Trade Management Application (TMA) purchases shares of stock and allocates the shares to client portfolios. Thus, the Examiner argues that the requested task in Kenton is the purchase and/or allocation of stock shares using the TMA. However, in arguing that Kenton discloses “executing the one or more instructions to perform the task again on one or more additional computer systems,” the Examiner cites Kenton at col. 6, lines 14-19, where Kenton discloses updating a Portfolio Management Application (PMA) database to reflect the stock allocation. Although the TMA and the PMA may be located on different computers, the TMA operation is a financial transaction while the PMA operation is a database transaction. The stock purchase/allocation and the database update are different tasks. Therefore, Kenton does not teach or suggest a method comprising “generating a message in response to the user input, wherein the message comprises one or more instructions which are computer-executable to perform the task” and “executing the one or more instructions to perform the task again on one or more additional computer systems” in combination with the remaining features of claim 1.

For at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 11, and 21 are patentably distinct from Kenton. The dependent claims are patentably distinct from Kenton at least due to their dependence on the independent claims. Examples of dependent claims reciting further distinctions over the cited art are discussed below.

Regarding claim 5, Applicant respectfully submits that Kenton does not teach or suggest a method comprising “routing the portable message to a target application on the second computer system based on metadata which comprise identifying characteristics of the source application” in combination with the remaining features of the base claim 1 and intervening claim 4. The Final Office Action argues that this limitation is taught by Kenton in col. 7, lines 55-58. Applicant respectfully disagrees. In the cited passage, Kenton discloses that a workflow message contains hierarchical data including a <Stage> tag that encloses a list of data needed for a task. Kenton further describes the tagged data as “data needed by the steps that a particular application must execute to fulfill its role in the process.” However, there is no teaching or suggestion in Kenton that metadata or any element of the message identifies the source application or otherwise comprises identifying characteristics of the source application. For at least the reasons discussed above, Applicant respectfully submits that dependent claims 5, 15, and 25 are patentably distinct from Kenton.

Regarding claim 9, Applicant respectfully submits that Kenton does not teach or suggest a method comprising “sorting the message log by one or more elements of the metadata” in combination with the remaining features of the base claim 1 and intervening claims 4 and 5. Again, the Final Office Action argues that this limitation is taught by Kenton in col. 7, lines 55-58. As discussed above, Kenton discloses in the cited passage that a workflow message contains hierarchical data including a <Stage> tag that encloses a list of data needed for a task. However, there is no teaching or suggestion in Kenton that any items of data are sorted by metadata, nor that a message log is sorted by one or more elements of the metadata. Furthermore, Kenton does not teach or suggest sorting the message log by one or more elements of the metadata which comprise identifying characteristics of the source application. For at least the reasons discussed above, Applicant respectfully submits that dependent claims 9, 19, and 29 are patentably distinct from Kenton.

Applicant asserts that numerous others of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be

unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time. Accordingly, Applicant respectfully requests withdrawal of the § 102(e) rejection.

**Rejections Under 35 U.S.C. § 103(a)**

Claims 6, 7, 16, 17, 26, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kenton in view of Pabla, et al. (U.S. Patent No. 7,127,613, hereinafter “Pabla”). Applicant respectfully traverses the rejection in light of the following remarks.

Applicant asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of dependent claims 6, 7, 16, 17, 26, and 27 is not necessary at this time. Accordingly, Applicant respectfully requests withdrawal of the § 103(a) rejection.

## CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5602-11900/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☒ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

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Date: 2008-01-18 JCH/RPH